CHAP. VII.

AN

ACT

FOR

Licenſing Hawkers and Pedlars, and for Encouragement of *Engliſh* Proteſtant Schools.

GII. R.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King*'s-*Arms* and *Two Bibles* in *Eſſex-Street*. M DCC LVIII.

AN

ACT

FOR

Licenſing Hawkers and Pedlars, and for Encouragement of *Engliſh* Proteſtant Schools.

CHAP. VII.

WHEREAS the Continuing the Encouragement formerly given to Engliſh Proteſtant Schools, will be of great Benefit to this Kingdom, and it is reaſonable that ſome Publick Fund ſhould be applied and ſet apart for that Purpoſe;

CHAP. VII.

CHAP. VII.

Be it Enacted by the King's Most Excellent Majesty, by and with the Advise and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty eight, until the Twenty fifth Day of June, One thousand seven hundred and sixty three, there shall be Answered and Paid unto His Majesty, His Heirs and Successors, by every Hawker, Pedlar, Petty Chapman, or any other Trading Person or Persons going from Town to Town, or to other Mens Houses, and Travelling either on Foot, or with Horse, Horses, or otherwise, Within this Kingdom (except as herein after mentioned) carrying to Sell, or Exposing to Sale, any Goods, Wares, or Merchandizes, a Duty of Twenty Shillings by the Year; And that every Person so Travelling with a Horse, Als, or Mule, or any other Beast bearing or drawing Burthen, shall Pay the Sum of Twenty Shillings by the Year, from the Twenty fourth Day of June, One thousand seven hundred and fifty eight, to the Twenty fifth Day of June, One thousand seven hundred and sixty, for each Horse, Als or Mule, or other Beast bearing or drawing Burthen, he or she shall

shall so Travel with, over and above the said first mentioned Duty of Twenty Shillings by the Year, which said Rates and Duties, shall be Collected by such person and persons, and in such Manner, and by such Ways and Means, as the Duty payable for Licences to keep Alehouses is Raised and Collected, by Virtue of an Act made in this Kingdom, in the Eleventh Year of the Reign of His present Majesty, Intitled, An Act for Continuing and Amending several Laws heretofore made, Relating to His Majesty's Revenue, and the more Effectual Preventing the Running of Goods, as fully, to all Intents and Purposes, as if the Provisions in the said Act for that Purpose, were particularly Mentioned and Expressed and Enacted again in the Body of this present Act.

CHAP. VII.

And be it further Enacted by the Authority aforesaid, That every Pedlar, Hawker, Petty Chapman, and other Trading Person or Persons, so Travelling as aforesaid, shall, before the Twenty fifth Day of June, One thousand seven hundred and fifty eight, and so likewise in every Year deliver, or cause to be delivered to the Collector of Excise of the District where he or she shall Reside or Dwell, a Note in Writing, under his or her Hand, or under the Hand of some Person by her or him

CHAP. VII.

Authorized in that Behalf, how, and in what Manner, he or she intends to Travel and Trade, whether on Foot, or with one or more Horse or Horses, Ass or Asses, Mule or Mules, or other Beast or Beasts of Burthen, for his or her so Travelling and Trading; for which he or she, shall thereupon pay, or cause to be paid unto such Collector, the Yearly Duty herein before Directed to be payable for the same, and thereupon a Licence shall be granted unto him or her, so to Travel or Trade, by such Collector.

And be it further Enacted by the Authority aforesaid, That if any such Hawker, Pedlar, or Petty Chapman, from and after the said Twenty fourth Day of June, One thousand seven hundred and fifty eight, be found Trading as aforesaid, without, or contrary to such Licence, such Person, shall, for each and every such Offence, forfeit the Sum of Five Pounds, one Moiety thereof to the Informer, and the other Moiety to the Incorporated Society in Dublin, for promoting English Protestant Schools.

And be it Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for the said Collectors of the several Districts in this Kingdom respectively,

tively, and they are hereby respectively Directed, Appointed, and Required, upon the Terms aforesaid, and upon the Receipt as aforesaid, to grant a Licence, under their respective Hands, to every Huckster, Pedlar, Petty Chapman, or any other Trading Person, for him or herself, with one or more Horses, Asses, Mules, or Beasts which he or she shall Travel with, as the Case shall require, for which Licence there shall be taken by such Collectors for their own Use, one Shilling and no more, except such Huckster, Pedlar, or Petty Chapman, shall Travel with Horse, Ass, or Mule, or other Beast of Burthen, and in that Case, there shall be paid unto such Collectors, for their own Use, for such Licence, two Shillings and no more, over and above the Duties aforesaid; and that the said Collectors shall keep separate and distinct Accounts of the Duties hereby granted, and pay the Money arising thereby into his Majesty's Treasury, as other Money received by them for the Use of his Majesty. CHAP. VII.

And be it further Enacted by the Authority aforesaid, That the said Collectors shall be accountable to his Majesty for the Duties hereby Granted, and shall be Subject to the like Penalties and Forfeitures, for not Rendering a true Account

CHAP. VII.

thereof, and paying the same in Manner aforementioned, they are and shall be able unto, for not rendering a true Account of any Money received by them for the Use of His Majesty.

And be it further Enacted by the Authority aforesaid, That the Monies arising from the said Duties hereby granted, shall from Time to Time be brought into the Receipt of His Majesty's Exchequer, and shall from Time to Time, without any Fee or Deduction whatsoever, be paid by the Vice Treasurer or Receiver General of this Kingdom, to the Incorporated Society in Dublin for promoting English Protestant Schools, or to their Treasurer for the Time being, for the Use of the said Incorporated Society.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall Forge or Counterfeit, or Cause to be Forged or Counterfeited, any Licence or Licences for the Purposes aforesaid, or Travel with such forged or counterfeit Licence or Licences, knowing the same to be Forged or Counterfeited, such Person shall forfeit the Sum of Fifty Pounds, one Moiety thereof to the King, and the other Moiety to him who shall prosecute or sue for the same,

to

to be Recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, as the Four Courts in Dublin, in which no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed, and shall be subject to such other Pains and Penalties as may be inflicted on persons for Forgery. GEO. II. CAP. VII.

And be it Enacted by the Authority aforesaid, That if any person or persons shall be Sued, Molested, or Troubled, for putting in Execution any of the powers contained in this Act, or for doing any Matter or Thing pursuant thereto, such person or persons shall and may plead the General Issue, not Guilty, and give the Special Matter in Evidence; and if the Plaintiff or Plaintiffs shall be Nonsuited, or Judgment be given against him or them, upon Demurrer or otherwise, or a Verdict pass for the Defendant or Defendants, or a Dismis upon a Civil Bill, such Defendant or Defendants shall have his, her, or their Treble Costs, to be Recovered in such Manner as where by Law Costs are given to Defendants.

And be it further Enacted by the Authority aforesaid, That if any Constable shall refuse or neglect, upon due Notice, or

CHAP. VII.

on his own View to be aiding and assisting in the Execution of this Act, being thereunto required, every such Constable being thereof convicted by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace for the County or Place where such Offence shall be committed, shall forfeit, for each and every such Offence contrary to this Act, the Sum of Forty Shillings, to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of such Justice of the Peace; One Moiety whereof to be paid to the said Incorporated Society, the other Moiety to the Informer who shall prosecute for the same, rendering the Overplus thereof to the Owner (if any be)

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful for any Person or Persons whatsoever, to seize and detain any such Hawker, Pedlar, Petty Chapman, or other Trading Person or Persons as aforesaid; and also the Goods they shall be found Trading with, until such Time as he, she, or they shall produce a Licence in that Behalf, if he, she, or they have any; and if he, she, or they shall be found Trading without a Licence, contrary to this Act, that it shall and may be Lawful

CHAP. VII.

ful to and for such Person or Persons, so seizing as aforesaid, taking to his or their Assistance such Person or Persons as he or they shall think fit, to carry the Person so seized, as also the said Goods, before some one of His Majesty's Justices of the Peace of the County or Place, or before the Collector of His Majesty's Revenue for the District where such Offence or Offences shall be Committed; which said Justice of the Peace, and Collector respectively, are hereby strictly required, either upon the Confession of the Party offending, or due Proof of a Witness upon Oath, which they are hereby respectively impowered to Administer, that the Person so brought before him, had so traded as aforesaid, unless such Licence shall be produced, by such Offender, before the said Justice, or Collector, by Warrant under his Hand and Seal, to cause the Sum of Five Pounds to be forthwith levied by Distress and Sale of the Offender or Offenders Goods, Wares, or Merchandizes, rendering the Overplus (if any be) to the Owner or Owners thereof, after deducting the reasonable Charge for taking the said Distress, and out of the said Sale to pay the Penalty and Forfeiture aforesaid.

Provided allways, and be it Enacted by the Authority aforesaid, That this Act, or

CHAP. VII.

any thing herein contained, shall not extend to prohibit any Person from Selling of any Acts of Parliament, Forms of prayer, Proclamations, Gazettes, Almanacks, or other Printed Papers, or any Fish, Fruit, or Victuals; nor to hinder any Person or Persons, who are the real Workers, or Makers, of any Goods or Wares within this Kingdom, or his or their Wife or Wives, Apprentice or Apprentices, from carrying Abroad, Exposing to Sale, and Selling any of the said Goods and Wares of his, her, or their Making, in any publick Fairs, Markets, or elsewhere; nor any Tinker, Cooper, Glazier, Plumber, Harness-Mender, or other Persons usually Trading in Mending Kettles, Tubs, Houshold Goods, or Harness whatsoever, from going about, or carrying with him or them proper Materials for Mending the same.

Provided also, and be it Enacted by the Authority aforesaid, That this Act, or any Thing herein Contained, shall not Extend to subject any Person or Persons who shall carry Raw and Unmanufactured Wool or Frizes, or Stockings made of Woollen Yarn, from one Part of the Kingdom to the other, or Expose the same to Sale in any Fair, Market, or other Place in this Kingdom, to any of the Duties or Penalties

penalties herein before mentioned, so as such Person or Persons shall not at the same Time Carry, or Expose to Sale any other Wares, Goods, or Merchandizes, except the said Raw and Unmanufactured Wool, and the said Frizes and Stockings made of Woollen Yarn. CHAP. VII.

Provided also, and be it Enacted by the Authority aforesaid, That this Act, or any Thing herein Contained, shall not Extend to Prohibit or Restrain any Person or Persons from Selling or Exposing to Sale, in any Place or Places whatsoever, any Flax, Tow, Hemp, Flaxen-Yarn, Hempen-Yarn, Ticken, Plain, Striped, Chequered, Painted, or Stained Linens, Buckrams, or Canvals, as such Person or Persons shall not at the same Time Carry or Expose to Sale, any other Goods, Wares, or Merchandizes, except such Flax, Tow, Hemp, Flaxen-Yarn, Hempen-Yarn, Tickens, Plain, Striped, Chequered, Painted or Stained Linens, Buckrams, or Canvals, as aforesaid.

Provided also, and be it Enacted by the Authority aforesaid, That this Act, or any Thing herein Contained, shall not Extend to subject any Person or Persons who shall Carry any Pots or Griddles, made of Cast-

CHAP. VII.

Iron Metal, from one Part of the Kingdom to another, or Expose the same to Sale in any Fair, Market, or other Place in this Kingdom, to the Payment of any greater Duty than the Sum of Twenty Shillings by the Year in the Whole, although such Person or Persons shall or may Trade or Travel with One or more Horse or Horses, or other Beast or Beasts Drawing or Bearing Burthen, so as such Person or Persons shall not, at the same Time, Carry, or Expose to Sale, any other Goods, Wares, and Merchandizes, except the said Pots and Griddles, made of Cast-Iron Metal.

Provided also, and be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of His Majesty's Revenue, or any Three or more of them, for the Time being, to Order and Direct to be paid out of the Monies Raised by this Act, to the said Collectors, their Clerks, or any other Persons, such Sums of Money as They, or any of them, shall or may reasonably Deserve for their Service, or shall or may have Expended in the Execution of, or in Relation to this Act.

Provided

CHAP. VII.

Provided also, and be it further Enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not Extend, or be Construed to give any Power for Licensing any Hawker, Pedlar, or petty Chapman, to Sell, or Expose to Sale, any Wares or Merchandizes in any City, Borough, Town Corporate, or Market-Town, within this Realm, any otherwise than he or she might have done before the Making of this Act; any Thing herein contained to the contrary, in any wise, notwithstanding.

And for the further Encouragement of English Protestant Schools, be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for every Archbishop, Bishop, and to and for every Dean, Archdeacon, Dignitary, Prebendary, Rector, Vicar, and Ecclesiastical Person whatsoever, with the Consent of the Archbishop or Bishop, signified under the Hand and Seal of such Archbishop and Bishop respectively, and to and for every Person, being Seized of an Estate for Life, in Possession of any Land, with immediate Remainder over to his Issue in Tail by Deed or Deeds, respectively, to Grant in Possession absolutely, or in Fee Farm, any Quantity of Land, to them

CHAP. VII.

respectively belonging, not exceeding Two Acres plantation Measure, to the said Incorporated Society, and their Successors for ever; and that all Grants so to be Made, shall be good and effectual against the Successors of such Archbishop, Bishop, Dean, Archdeacon, Dignitary, Prebendary, Rector, Vicar, and other Ecclesiastical Person respectively, and against all persons Claiming, or to Claim any Estate, Right, Title, or Interest in such Land, by Virtue of, or under any Limitation, Remainder, or Reversion, expectant upon such Estate for Life.

AN